

## REMARKS

Reconsideration of this application as amended is respectfully requested. In the Office Action, claims 21-22 and 24-27 remain pending. Claims 21-22 and 24-27 have been rejected. Claim 21 has been amended. In this response, no claims has been added or canceled. No new matter has been added. Thus, claims 21-22 and 24-27 remain pending.

Claims 21-22 and 24-27 have been rejected under 35 U.S.C. § 112 as failing to comply with the written description requirement for claiming subject matter which was not adequately described in the specification. Accordingly, the Applicants have amended claim 21 to remove the noted subject matter and request withdrawal of the rejections. Since claims 22 and 24-27 are dependent on claim 21, and were rejected based on their dependency from claim 21, the Applicants request withdrawal of the rejection.

Claims 21-22 and 24-27 have been rejected under 35 U.S.C. 103(a) as being anticipated by U.S. Patent No. 6,256,620 to Jawahar, et al. ("Jawahar"). Applicant hereby reserves the right to swear behind Jawahar at a later date. In view of the foregoing amendment and remarks, it is respectfully submitted that claims 21-22 and 24-27 include limitations that are not disclosed by Jawahar.

Jawahar describes a system and method for monitoring information access in a computer network (Jawahar, Abstract; Figure 2). Specifically, a web browsing session is monitored so that data may be collected regarding the web browsing session (Jawahar, Figure 8 and accompanying discussion). Then, when a user selects a "help" button on a web page, the browsing history is sent to a system that assigns an agent "familiar with the information contained in the other web pages viewed by the user prior to selecting the

‘Help’ button” (Jawahar, Column 16, line 46 to Column 17, line 12; Figure 9, elements 276-284).

Claim 21, as amended, recites as follows:

21. An automatic call distribution system, wherein calls are assigned to lines of different communication types, the automatic call distribution system comprising:
- a browser database allowing a customer to view web pages;
  - a plurality of agent computer systems for communicating with a customer; and
  - a control system for assigning a call to an agent computer system from the plurality of agent computer systems by taking into account which web pages the customer has viewed and a number of calls that have been currently assigned to the agent computer system.

Independent claim 21 includes a browser database to allow a customer to view Web pages and multiple agent computer systems available to handle a call from the customer, and a control system to assign the call to one of the agent computer systems based on which Web pages the customer has viewed and a number of calls associated that have been currently assigned to the agent computer system. Thus, the present invention as claimed concentrates on balancing the bandwidth of the agent computer systems for a specific communication line (in this case, the Web interface), with the web pages from which a customer call originated.

Although disclosing the assignment of an agent to a customer based on which Web pages the customer has viewed, Jawahar still fails to disclose such an assignment that is also based the number of calls that have currently been assigned to an agent’s computer system. Rather, Jawahar explicitly recites:

If the user selected a help button, then the procedure branches to step 238, where the data collected regarding web page access is transmitted to a server and an agent is selected to provide help to the user. (Jawahar, Column 15, Lines 7-12)

[When] a user selects a "Help" button or other assistance icon while viewing a web page. Step 272 determines the types of web pages viewed by the user and the time spent viewing each type of page. ... Step 276 determines the web page being viewed by the user when the user selected the "Help" button. Step 278 identifies agents familiar with the information contained in the web page being viewed by the user when the "Help" button was selected. Step 280 identifies agents familiar with the information contained in the other web pages viewed by the user prior to selecting the "Help" button. Step 282 selects an agent to provide assistance to the user based on the determinations performed in the above steps. Preferably, an agent is selected that is familiar with the information contained in the web page currently viewed by the user and web pages viewed prior to selecting the "Help" button. [Emphasis Added]. (Jawahar, Column 16, Line 46-66)

Furthermore, as recited by Jawahar, the selection of an agent is "based on determinations performed in the above steps" includes monitoring a user's web site behavior via an application stored on the user's computer system (Jawahar, Column 13, Lines 23-50), or tags embedded in a website (Jawahar, Column 13, Line 66 to Column 14, line 30). As such Jawahar only describes the utilization of website browsing history information when assigning a "Help" request to an agent, and not "a control system for assigning a call to an agent computer system from the plurality of agent computer systems by taking into account which web pages the customer has viewed and a number of calls that have been currently assigned to the agent computer system," as claimed by the Applicants.

The Examiner asserted that "Jawahar et al. teach that module 112 is capable of generating various types of reports summarizing or identifying performance characteristics and other information related to the transaction processing environment" in order to "keep track what an agent computer has done, to store information, and to generate a report" (Office Action, mailed August 24, paragraph spanning pages 3 and 4). Thus, as explicitly stated by the Examiner, Jawahar describes generating post-transaction reports based on information gathered during a help request. However, generating a report detailing transaction handling after transactions have been completed fails to

describe or suggest “a control system for assigning a call to an agent computer system from the plurality of agent computer systems by taking into account which web pages the customer has viewed and a number of calls that have been currently assigned to the agent computer system,” as claimed by the Applicants.

Therefore, it is respectfully submitted that independent claim 21 is not anticipated by Jawahar.

Given that the rest of the claims depend from claim 21, for the reasons similar to those discussed above, it is respectfully submitted that the rest of the claims are not disclosed by Jawahar. Withdrawal of the rejections is respectfully requested.

With respect to claim 22, the present invention as claimed includes “a database having records of agent efficiency with respect to two or more communication types; and the control system including a process for using the database information to assign a call to an agent.” This feature is not described or illustrated in Jawahar. The Examiner cites Figure 9, elements 278-280 of Jawahar, but there is nothing in the figure and its accompanying description that mentions utilizing agent efficiency data stored in a database in assigning calls to an agent. Rather Jawahar recites:

Step 278 identifies agents familiar with the information contained in the web page being viewed by the user when the "Help" button was selected.  
Step 280 identifies agents familiar with the information contained in the other web pages viewed by the user prior to selecting the "Help" button.  
Step 282 selects an agent to provide assistance to the user based on the determinations performed in the above steps.  
(Jawahar, Column 16, line 61 to Column 17, Line 1; Figure 9)

Where the “determinations” are described as the “types of web pages viewed by the user and the time spent viewing each type of page” and/or the “product or service associated with the web pages” (Jawahar, Column 16, lines 46-59). In view of this, Applicants

respectfully submit that the present invention as claimed in claim 22 is not rendered obvious by Jawahar.

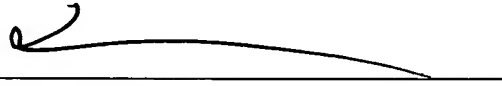
In view of the foregoing, Applicant respectfully submits the present application is now in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call the undersigned attorney at (408) 720-8300.

Please charge Deposit Account No. 02-2666 for any shortage of fees in connection with this response.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

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Michael J. Mallie  
Attorney for Applicant  
(Reg. No. 36,591)

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, CA 90025-1030  
(408) 720-8300